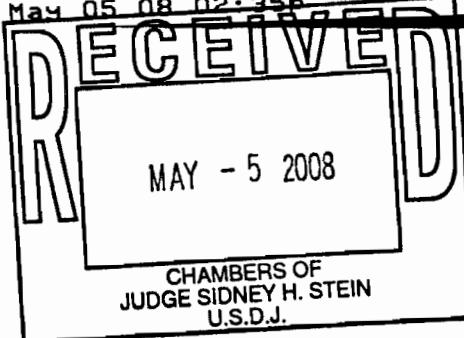


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LAW OFFICES
PAUL B. BERGMAN, P.C.

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DATE FILED: 5/6/08

May 5, 2008

PAUL B. BERGMAN

BRIAN C. DANAHY

BY TELECOPIER (212) 805-7954

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Coplan, et al,
(S-1) 07 Cr. 453 (SHS)

Dear Judge Stein:

The defense pretrial motions are due to be filed today. I write to request permission to file a memorandum of law in support of our motion in excess of the 25-page limit in Your Honor's local rule. Our memorandum for the Omnibus Pretrial Motion on behalf of Mr. Vaughn consists of six point headings and the page count is 43. The legal issues which we have addressed are not routine; four involve fundamental issues of jurisdiction and venue and the Court's ability, at the pretrial stage of the prosecution to hear and determine both the jurisdictional issue, which relates to Count Ten of the Superseding Indictment, and determine the proper venue of Mr. Vaughn's prosecution both as a legal matter and as a matter of discretion under the Federal Rules of Criminal Procedure.

In the past week, we have endeavored to strip down these arguments from their original, much longer length. For example, Point I of our Memorandum, which deals with the jurisdiction of the Special Grand Jury to return the charge in Count Ten, has been reduced from the nine pages it had been, in its final draft form, to seven pages; Point II, which argues that there is no venue in the Southern District of New York, has been reduced from thirteen pages to ten and a half, and the discretionary venue argument, in Point IV, has been reduced to twelve and a half pages, from its original 15 pages. Point III of the Memorandum, which is seven and a half pages, involves an issue which has not been the subject of much case law, namely the Court's ability to reach the venue issue at the pretrial stage.

SO ORDERED 5/6/08

SIDNEY H. STEIN

May 05 08 02:35p

PAUL B. BERGMAN, P.C.

Hon. Sidney H. Stein

May 5, 2008

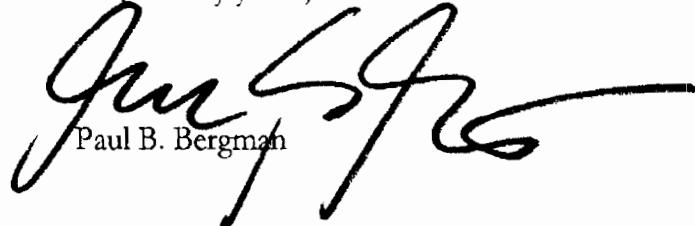
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These four Points, which involve issues of great significance generally to the administration of justice and specifically, to Mr. Vaughn's constitutional right to defend these charges in the proper venue, take up a total of 37 pages. Over the weekend, we have edited them even further than they were on Friday, but to do more cutting at this point would result in the elimination of arguments and authorities which, we believe, are critical to the success of our applications for relief.

An indication of how spare we have attempted to be in the memorandum of law is that the final two arguments in the memorandum, one relating to specific requests for particulars and the second, an argument involving 26 U.S.C. §6103(h), the so-called tax "return information" provision, is that we have limited our total arguments in those two points to four pages.

Thank you for your consideration of this request.

Respectfully yours,



Paul B. Bergman

PBB:ljr

cc: Lauren Goldberg, Esq. (By telecopier)
Marshall A. Camp, Esq. (By telecopier)
All Defense Counsel of Record (By email)